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INFO RUEHZL/EUROPEAN POLITICAL COLLECTIVE  
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RUEKJCS/SECDEF WASHINGTON DC  
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C O N F I D E N T I A L SECTION 01 OF 02 PRISTINA 000075

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DEPT FOR DRL, INL, EUR/SCE  
NSC FOR BRAUN  
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EUR/ACE FOR DMAYHEW

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PLEASE CANCEL TELEGRAM IN ITS ENTIRETY. REVISED TELEGRAM  
TO FOLLOW.

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E.O. 12958: DECL: 01/24/2017  
TAGS: KCRM KJUS PGOV PINR PREL ICTY UNMIK EAID PHUM  
SOCI, YI  
SUBJECT: KOSOVO: EXHUMATION OF POSSIBLE LARGE MASS GRAVE  
SITE AWAITING COURT ORDER

REF: 06 PRISTINA 782

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Classified By: COM Tina Kaidanow for reasons 1.4 (b) and (d)

¶1. (C) SUMMARY. UNMIK's Department of Justice has what it believes to be reliable information regarding a mass grave that could contain up to several hundred bodies. The site is just over the administrative boundary line with Serbia. UNMIK has asked USG assistance to pressure the Serbian judge responsible for this case to issue the necessary court order to allow an exhumation of the site. END SUMMARY.

¶2. (C) On January 19, Amcit chief of UNMIK's Department of Justice, Al Moskowitz, told us that UNMIK has convincing evidence of the existence of a potentially large mass grave site. He said that the site, which he has visited, is located just off the main road connecting Leposavic and Serbia proper in the "no man's land" between the Kosovo (UNMIK) checkpoint and the Serbian state checkpoint on the Administrative Boundary Line (ABL) at Gate One. He said that witnesses have visited the site and pinpointed the exact location (in a low lying area immediately adjacent to a construction company that has earth-moving equipment on the premises), and have also shown it on maps and photographs. Moskowitz said it is rare to get such specific evidence pinpointing the location of a grave site, and that witnesses have also given detailed accounts of what they claim to have heard (and smelled) in 1999: they say they heard a truck arrive in the middle of the night (accompanied by a strong stench), dump something out, and then they heard the sounds of digging.

¶13. (C) Moskowitz said that over six months ago he participated in a joint visit to the site to conduct a preliminary visual assessment. He said that participants included Belgrade officials from the Belgrade delegation to the working group on missing persons (reftel), experts from UNMIK's Office of Missing Persons and Forensics (OMPF), and Judge Milan Dilparic of the Belgrade District Court -- the judge responsible for issuing the court order that will allow an exhumation to go forward. Moskowitz said that, at the time, Dilparic asked for additional documentation regarding the site. Moskowitz added that DOJ long ago complied with the request, but Dilparic still has not issued the court order, and that he has pressed Belgrade officials to proceed with the court order at several closed meetings of the Pristina-Belgrade Working Group on Missing Persons, but was met with silence.

¶14. (C) Moskowitz clarified on January 26 that he just found out from Dubravko Bolsec, Embassy Zagreb FSN and regional representative of Ambassador-at-Large for War Crimes Issues Clint Williamson, that Dilparic is now demanding that the Serb witness who has identified the site appear before him. Moskowitz said that there is no precedent for such a demand, and that the Serb is too scared to come forward. Moskowitz said that DOJ has provided Dilparic sufficient information, including a full statement from the witness.

¶15. (C) Moskowitz said that based on the assessment and witness accounts, the site could contain up to several hundred bodies, and urged us to pressure Dilparic to issue the court order. Acting Director of UNMIK's Office of Missing Persons and Forensics (OMPF) Valerie Brasey told us that Serbian government forensics officials said that they will conduct the exhumation when the court order is issued, but she said OMPF plans to observe, in the same way that Serbian officials observe OMPF exhumations of non-Albanians in Kosovo. Moskowitz said that the construction company has already been given permission to exhume the site, but says Belgrade officials insist that the court order is also necessary.

¶16. (C) COMMENT. Our END COMMENT.

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¶17. (U) Post clears this message in its entirety for release to Special Envoy Martti Ahtisaari.  
KAIDANOW